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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of

VON BORSTEL

Atty. Ref.: 1331-334

Serial No. 09/763,955

Group:

Filed: February 28, 2001

Examiner:

For: COMPOSITIONS AND METHODS FOR TREATMENT OF  
MITOCHONDRIAL DISEASES

\* \* \* \* \*

March 30, 2001

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT

Attached is a completed Form PTO-1449 listing WO 00/50043. A copy of that reference is attached. For the Examiner's information, this reference/IDS has also been made of record in co-pending application Serial No. 09/144,096, filed August 31, 1998 (1331-254).

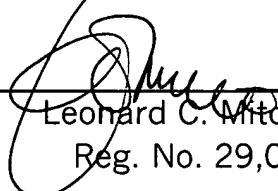
The '043 reference lists Robert K. Naviaux as inventor and The Regents of the University of California as Applicant. From 1995 through the filing date of the '096 application, Pro-Neuron, Inc. the title owner of the present application, has collaborated with the University of California, San Diego (UCSD) relating to therapeutic uses of triacetyluridine. This collaboration has involved a number of UCSD researchers, including Dr. Naviaux. Examples 1-4 of the subject application were provided to Dr. Reid von Borstel, the named inventor in the present application, by Dr. Naviaux in 1998. Examples 1, 2 and 3 of the subject

application appear to be based on the same case studies as Examples 3, 4 and 5 of WO 00/50043, respectively.

The Examiner is requested to initial the attached PTO-1449 and to return a copy of the initialed document to the undersigned with the next paper to issue in this application.

Respectfully submitted,

NIXON & VANDERHYE P.C.

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